

10 May, 2023

Standing Committee on Social and Economic Development  
Manitoba Legislative Assembly  
450 Broadway  
Winnipeg, MB R3C 0V8

Re: Bill 10, *The Liquor, Gaming and Cannabis Control Amendment Act (Social Responsibility Fee Repealed)*/Loi modifiant la Loi sur la réglementation des alcools, des jeux et du cannabis (abrogation de la taxe de responsabilité sociale)

Dear Committee Members:

On behalf of our association, we believe that it is important for us to provide comment and observations on the above noted Bill.

When the Government of Canada proceeded to legalize cannabis, our Association was called upon to serve in a two-fold capacity. First, in 2017, we were invited by the Manitoba Government to provide feedback regarding Bill 11, *The Safe and Responsible Retailing of Cannabis Act*.

Second, we then represented the interests of public school boards nation-wide as spokesperson for the Canadian School Boards Association before the Senate Committee on Social Affairs, Science and Technology, that was mandated to receive public comment on Bill C-45, *The Cannabis Act*, prior to its passage by Parliament in 2018.

Our message during both of these consultations was very clear and remains ever relevant and cogent to these present proceedings regarding Bill 10, which now seeks to repeal Manitoba's social responsibility fee as applied to future cannabis sales. The health and well-being of our students, and their ability to develop and flourish in a manner that is informed, responsible and safe, remains one of many compelling objectives of public education. This must be a goal that we all share under the reality that it truly takes everyone in this community to raise our children and to provide and protect their future.

We therefore remain appreciative to the Manitoba Government for listening to our concerns in 2017 and for then mandating the legal age of cannabis consumption at 19 years of age under *The Safe and Responsible Retailing of Cannabis Act*. This was a key step in our shared effort to exclude access to cannabis by all school-age pupils who are in regular attendance in our schools. This step was important then and still remains important today.

Notwithstanding the legal age for purchase and consumption, legalization of cannabis in and of itself however, represented a significant challenge to our ongoing efforts directed at minimizing its consumption among youth. Our ability to promote safe and healthy lifestyles among our students remains an important consideration in relation to the ongoing implementation of *The Cannabis Act* locally in Manitoba.

During our meeting with the Progressive Conservative Caucus in November, 2017, members of the Government side of the Assembly may recall that we specifically requested that the revenues derived

from cannabis and cannabis derivative sales be re-invested in education. Even then, we had foreseen that promoting information and awareness campaigns regarding the harms and risks of cannabis consumption among youth audiences, would prove essential to respond to legalization. Yet, perhaps more importantly, such education programming support would remain foundational on an ongoing basis thereafter. Ultimately, the decision made by Government was to invest in a province-wide pre-legalization advertisement campaign leading up to the assent of Bill C-45. Targeted efforts to sustain such critical awareness and information campaigns for youth unfortunately began to be discontinued in the months that followed. Ultimately, we were then further informed that the greatest share of any future social responsibility fees would flow not to education and awareness but instead to policing, enforcement and regulation of the legal and illicit cannabis markets.

This said, the vision held by our association for the launch of specific education programming around cannabis consumption was partially realized by redrafting of the K-12 provincial health curriculum to include content related to its risks and harms. As an association, we also concurrently partnered with the Manitoba Association of Parent Councils to develop a factsheet that could serve to provide parents with foundational talking points around cannabis in three languages: English, French and Tagalog.

While the above two initiatives certainly did serve the immediate purpose of raising awareness across student and parent stakeholder groups in the specific context of pre-legalization, we understood that the bulk of education and awareness supports were to be achieved through sustained information campaigns and youth engagement in the years that would follow. These ongoing efforts and supports were to be implemented using the current social responsibility fee that is now being proposed for potential withdrawal under Bill 10.

We must be clear on the context of the present need for continued awareness and educational programming aimed at deterring youth cannabis consumption. The notion that legalization would be accompanied by a “floodgate” effect, as well as the concept of cannabis as a “gateway” drug that would precipitate the consumption by youth of additional non-cannabinoid illicit substances, were foremost calls to action that many other experts had already tabled for consideration by federal and provincial legislators.

In accompaniment of these concerns, our own focus was placed on recognizing the broader social and health-related challenge around the comparative use of cannabis by Canadian youth in the pre-legalization period (as remaining among the highest rate of youth cannabis users in a global context), while equally focussing on responding to any potential perception by youth that federal legalization rendered cannabis consumption in any way “safe” or “risk-free”. What was therefore needed then and remains urgently needed now, is continued education and awareness among youth regarding the harms and risks of cannabis consumption. These preoccupations continue to inform our perspectives today.

It is important that the Manitoba Legislative Assembly therefore understand that our advocacy remains vested in the realities and facts around cannabis consumption prior to and following the legalization process. Realities that have persisted through to the present time. In this respect, we would carefully note that even leading pro-cannabis advocates in our community, before and after legalization occurred, themselves encouraged our association efforts to raise awareness regarding the risks and harms of cannabis consumption, due to their expertise on the subject.

From these advocates’ perspective, normalization of “safe” forms of cannabis consumption would only be promoted if youth were able to distinguish the comparative risks and harms of consumption across

both the legal and illicit cannabis markets. While we offer no validation to any form of cannabis use, that our engagement with these community stakeholders pointed towards a persistent need for education and awareness supports, certainly does warrant your consideration in relationship to Bill 10.

In this respect, we would therefore offer the following recommendation for consideration of the committee: if the intention of Bill 10 is, as suggested in the explanatory notes that serve to introduce the Act, informed by evidence and research that suggest a correlation between continued access by Manitobans of all ages to the illicit cannabis market (rather than the legalized market) because of the ongoing implementation of the social responsibility fee, then we would strongly encourage the Government of Manitoba, and all members of the Assembly, to nonetheless fulfill our shared ongoing commitment to “social responsibility” by redirecting a portion of provincial sales tax revenues, as raised through future cannabis sales, to the establishment of accentuated education and awareness campaigns regarding the risks and harms of cannabis use, as well as so many other harmful drugs and substances that remain within the reach of our youth.

While it is our formal position that the social responsibility fee ought not be withdrawn, we can understand and appreciate that the persistence of an illicit market counteracts what was arguably one of the foremost intentions behind Federal Bill C-45 itself. We are very disheartened that this objective has not been actualized.

This brings us to the present proposed legislation, Bill 10, which seeks to now remove the social responsibility fee by way of finding a solution to these circumstances. As the Bill C-45 experience has so amply shown however, alignment between legislative intent and social outcome may prove elusive at best when it comes to the reality of illicit drugs, even as the Federal Government now seeks provincial concurrence towards decriminalization of further risk-laden and harmful substances across Canada, and even as harmful behaviours such as smoking and vaping have not only persisted but regrettably continue to rise among our youth.

It is therefore our concluding adjuration to the Manitoba Legislative Assembly that now is therefore certainly not the time or context to abandon the concept of “social responsibility” altogether. Instead, we believe that now is the time for concerted and sustained education and information campaigns to address cannabis consumption, as well as so many other harmful substances that threaten the lives, well-being, safety and health of all Manitobans, particularly among our youth.

Whether this occurs through formal amendment to Bill 10 so as to dedicate a permanent portion of provincial sales tax revenues from cannabis sales to “social responsibility” in order to implement education programs, or whether Bill 10 implements a more nuanced suspension (rather than outright repealment) of the social responsibility fee for a defined period of time to test whether the intention of this Bill will in fact align with the outcomes we all seek (a so-called “sunrise” provision under legislative form and practice), either way, the need for sustained youth-focused education, information and awareness programming and supports must proceed to implementation, as was originally guaranteed by Government and targeted under the social responsibility fee. The additional question of funding in support of necessary policing, enforcement and regulation of the legal and illicit cannabis markets remain equal considerations here. These priorities too provide for the future and ongoing safety of our students. Repealment of the fee cannot come at their expense.

MSBA Brief re Bill 10 to Standing Committee on Social and Economic Development  
Manitoba Legislative Assembly

We thank both the members of the Committee and of the larger Legislative Assembly for their consideration of our observations and recommendations and request that you please do not hesitate to contact the Manitoba School Boards Association should you require any further information from us in the above respect. You may direct inquiries to Executive Director Josh Watt at [jwatt@mbschoolboards.ca](mailto:jwatt@mbschoolboards.ca).

Sincerely,

A handwritten signature in black ink that reads "Sandy". The signature is written in a cursive, flowing style.

Sandy Nemeth  
President